

## INTERNATIONAL SEARCH REPORT

International application No.

PCT/NZ2004/000246

## A. CLASSIFICATION OF SUBJECT MATTER

Int. Cl. <sup>7</sup>: A61M 16/06, A62B 18/02

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)  
DWPI – IPC A61M, A62B & Keywords.(Breath+, mask, headgear, conduit, support, adjust+) and like terms

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 1998048878 A2 (MORGENSTERN et al.) 5 November 1998 Figures 1A, 1B, 1C	1-4, 6-35
X	WO 1998024499 A1 (RESMED LIMITED) 11 June 1998 Figures 1-3	1-4, 6-35
A	US 5662101 A (OGDEN et al.) 2 September 1997 Figures 1-3, 6-8	
X	WO 1982003548 A1 (SOMED PTY LTD) 28 October 1982 Figures 1-2	1-4, 6-35

 Further documents are listed in the continuation of Box C See patent family annex

* Special categories of cited documents:	
"A" document defining the general state of the art which is not considered to be of particular relevance	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"E" earlier application or patent but published on or after the international filing date	"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"O" document referring to an oral disclosure, use, exhibition or other means	"&" document member of the same patent family
"P" document published prior to the international filing date but later than the priority date claimed	

Date of the actual completion of the international search  
15 November 2004

Date of mailing of the international search report

23 DEC 2004

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C (Continuation): DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 2002/0026934 A1 (LITHGOW et al.) 7 March 2002 Figure 1; Page 1, Paragraph 0006	1-4, 6-35
X	AU 200071882 A1 (McCUDDEN) 7 June 2001 Figure 2	1-4, 6-35
P, X	US 2004/0035427 A1 (BORDEWICK et al.) 26 February 2004 Figures 1-3	1-35
P, X	WO 2004030736 A1 (FISHER & PAYKEL HEALTHCARE LTD) 15 April 2004 Figures 1-2; Page 3 Lines 10-14	1-35
A	EP 1020201 A2 (RESMED LIMITED) 19 July 2000 Figure 2	1
A	EP 1293227 A1 (FISHER & PAYKEL HEALTHCARE LIMITED) 19 March 2003 Figure 5	1
P, A	US 2004/0035428 A1 (OLSEN et al.) 26 February 2004 Whole Document	
P, A	US 2004/0083534 A1 (RUIZ et al.) 6 May 2004 Whole Document	

**INTERNATIONAL SEARCH REPORT**

International application No.

PCT/NZ2004/000246

**Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)**

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1.  Claims Nos.: because they relate to subject matter not required to be searched by this Authority, namely:
  
2.  Claims Nos.: 5 because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:  
There is some ambiguity over what Claim 5 is defining and hence a search cannot be performed for this claim.
  
3.  Claims Nos.: because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a)

**Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)**

This International Searching Authority found multiple inventions in this international application, as follows:

1.  As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2.  As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3.  As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
  
4.  No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

**Remark on Protest**

The additional search fees were accompanied by the applicant's protest.  
 No protest accompanied the payment of additional search fees.

## INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No.

PCT/NZ2004/000246

This Annex lists the known "A"-publication level patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

Patent Document Cited in Search Report				Patent Family Member			
EP	1020201	AU	10024/00	CA	2295457	JP	2000254229
		US	6422238				
EP	1293227	CA	2398560	NZ	513658	US	2003051732
US	2004035428	AU	51876/01	AU	51877/01	AU	67947/01
		BR	0212453	CA	2350351	CA	2350356
		CA	2370995	CA	2407118	CA	2413938
		CA	2457277	EP	1163923	EP	1163924
		EP	1289590	EP	1302212	EP	1306098
		EP	1425060	JP	2002028240	JP	2002095751
		NZ	508219	NZ	514972	US	2002005201
		US	2002014241	US	2003000533	US	2003062048
		US	2003066531	US	2003089373	US	2003111080
		US	2003154978	US	2003196659	US	2003217746
		US	2004065327	WO	0195965	WO	03022341
		WO	03030978				
US	2004083534	WO	2004041325				
US	5662101	AU	11298/97	EP	0874667	EP	1234593
		WO	9720597				
WO	9848878	DE	19817332	EP	1015055		
WO	9824499	AU	46836/97	AU	51114/98	US	6044844
US	5662101	AU	11298/97	EP	0874667	EP	1234593
		WO	9720597				
WO	8203548	AU	83901/82	EP	0088761	US	4944310
US	2002026934	US	2004079375				
AU	7188200	AU	71882/00				
US	2004035427	WO	2004018014				
WO	2004030736						
US	2004035428	AU	51876/01	AU	51877/01	AU	67947/01
		BR	0212453	CA	2350351	CA	2350356
		CA	2370995	CA	2407118	CA	2413938
		CA	2457277	EP	1163923	EP	1163924

**INTERNATIONAL SEARCH REPORT****Information on patent family members****International application No.****PCT/NZ2004/000246**

EP	1289590	EP	1302212	EP	1306098
EP	1425060	JP	2002028240	JP	2002095751
NZ	508219	NZ	514972	US	2002005201
US	2002014241	US	2003000533	US	2003062048
US	2003066531	US	2003089373	US	2003111080
US	2003154978	US	2003196659	US	2003217746
US	2004065327	WO	0195965	WO	03022341
	WO 03030978				
US	2004083534	WO	2004041325		

Due to data integration issues this family listing may not include 10 digit Australian applications filed since May 2001.

**END OF ANNEX**